

**Opening Statement  
Chairman Mark Souder**

**“Law Enforcement and the Fight Against Methamphetamine: Improving Federal,  
State, and Local Efforts”**

**Subcommittee on Criminal Justice, Drug Policy,  
and Human Resources  
Committee on Government Reform**

**August 23, 2005**

Good morning, and thank you all for coming. Today we continue our Subcommittee’s work on the problem of methamphetamine trafficking and abuse – a problem that is ravaging the entire nation and putting a severe strain on law enforcement agencies at the state and local levels.

I’d particularly like to thank Congressman Mike Turner for inviting us here to Wilmington for this important hearing. I look forward to working with him as Congress moves ahead with anti-methamphetamine legislation. I’d also like to thank our Ranking Member, Congressman Elijah Cummings, for taking the time from his August recess to join us here today. Even though meth is not yet one of the primary drug threats in Congressman Cummings’ own district in inner-city Baltimore, he has always been very supportive of our national efforts to stop this deadly drug.

This is actually the tenth hearing focusing on meth held by the Subcommittee since 2001. In places as diverse as Indiana, Arkansas, Hawaii and Minnesota, I have heard moving testimony about how this drug has devastated lives and families. But I have also learned about the many positive ways that communities have fought back, targeting the meth cooks and dealers, trying to get addicts into treatment, and working to educate young people about the risks of meth abuse.

Today, we are focusing particular attention on the challenge of meth to federal, state, and local law enforcement agencies. That challenge is complicated by the way this drug is made, and by who is making it.

Most meth comes from the so-called “superlabs” in California and northern Mexico, and Congress is currently exploring ways to address that problem. Direct action against the labs themselves, and the traffickers controlling them, is part of the solution. But an even more important part is controlling the supply of precursor chemicals, notably pseudoephedrine (the key component in most cold medicines). We need a better international system for controlling the manufacture and distribution of pseudoephedrine, to prevent its being diverted to meth production.

However, Congress also needs to address the other source of meth supply: the smaller, clandestine or “clan” meth labs that generate so much damage and misery for local communities. The amount of meth that is created at these smaller labs is relatively small, yet they have a huge impact on the community, due to the environmental damage and health risks that they create.

The National Association of Counties (NACo) recently published a survey which details the enormous impact that meth is having on law enforcement agencies. The survey reported that nearly 60% of responding counties stated that methamphetamine was their largest drug problem.<sup>1</sup> 67 percent reported increases in meth related arrests. Over half of the agencies surveyed stated that at least 1 in 5 jail inmates are serving methamphetamine related sentences.

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<sup>1</sup> National Association of Counties. Survey: “The Criminal Effect of Meth on Communities”. July 5, 2005.

Proposals to give federal help to this “ground fight” against clan labs have taken two general forms: first, proposed retail and wholesale regulations of pseudoephedrine products, and second, financial assistance to state and local agencies to deal with the cost of investigating and cleaning up lab sites. I believe that both approaches will be necessary, but the question is how can they best be implemented.

Nearly everyone agrees that we need to better regulate pseudoephedrine products. As they say, however, “the devil is in the details.” Precisely what regulations are needed at the federal level, and what kind of exceptions should apply? Some ideas – including import controls, better wholesale market monitoring, and repealing the federal exemption that allows unlimited sales of pills in “blister packs” – are fairly non-controversial. I have proposed legislation (H.R. 1446) that would put all of these into federal law.

Congress is also currently considering legislation for another approach, putting pseudoephedrine on “Schedule V” of the Controlled Substances Act – which would put most cold products behind the pharmacy counter, and prevent non-pharmacies from selling them. A number of states have already passed such regulations, and hopefully we will have data soon showing how effective they are. But we need to be mindful of the impact of these laws on consumers, and on small businesses. We don’t want to pass laws that unnecessarily burden consumers in rural communities, or that prevent everyone but Wal-Mart and Target from selling cold medicines.

The second major proposal involves providing federal financial and other assistance to state and local law enforcement agencies. The cost of cleaning up meth labs is very high – much higher than most rural agencies can afford. Moreover, the health hazard of meth labs is such that local police officers often have to wait for six hours or more for the state lab unit to arrive. That’s time wasted, when they can’t protect the community from other threats.

The federal government must do something to help with this serious problem, because the nation’s fight against illegal drug trafficking depends on the ability of state and local agencies to do their part. But we also have to recognize that we will never have enough money to fund every anti-meth effort. We need a mechanism for targeting limited federal resources in the areas with the most significant problem, and where they will have the most significant impact.

My bill, and a number of other bills, try to address these various issues, but we need an overall, national anti-meth strategy if we are ever going to get ahead of the meth problem. In this, I have frankly been very disappointed by the Administration, which has not yet developed such a comprehensive strategy. I am a strong supporter of President Bush, but I believe his Administration can do better than the rather tentative anti-meth initiatives announced last week in Tennessee. They are a nice first step, but we need a lot more leadership on this issue.

At today’s hearing, we will hear from the federal, state and local agencies that are trying to provide local leadership against the meth epidemic right here in southern Ohio. We welcome Gary Oetjen, Assistant Special Agent in Charge of the Drug Enforcement Administration; and John Sommer, Director of the Ohio High Intensity Drug Trafficking Areas (HIDTA) program. The HIDTA program has set a new standard for improving federal, state, and local law enforcement cooperation, and I look forward to hearing about HIDTA’s impact on the meth problem.

On the second panel we will hear from Commissioner Randy Riley of Clinton County; Sheriff Ralph Fizer, Jr., also from Clinton County; Sheriff Tom Ariss of Warren County; Sheriff Dave Vore of Montgomery County; Commander John Burke of the Greater Warren County Drug Task Force; and Jim Grandey, the Highland County Prosecutor.

We thank everyone for taking the time to join us this morning, and look forward to your testimony.